

Notice of Allowability

Application No.

09/698,009

Examiner

Cheryl N Hawkins

Applicant(s)

KOEHLER ET AL.

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on November 7, 2003.
2. ☒ The allowed claim(s) is/are 1-19 and 34-47.
3. ☒ The drawings filed on 10/26/00 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>12/08/03</u> |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Craig J. Lervick on December 8, 2003.

2. The application has been amended as follows:

In the Claims: Claims 20-33, which were non-elected with traverse, have been cancelled.

3. Claims 1-19 and 34-47 are allowed.

4. The following is an examiner's statement of reasons for allowance:

As to Claim 1, the prior art of record to Foote, Jr. et al. (US 4,083,737) discloses a laminating device which includes a primary feeding mechanism cooperating with a primary supply web for advancing a predetermined length of the primary supply web; a secondary feeding mechanism for advancing a predetermined length of secondary; a cross web shearing apparatus positioned downstream from the secondary feeding mechanism for receiving the predetermined length of the secondary web, the cross web shearing apparatus including a shear blade positioned substantially perpendicular to the secondary web and movable through a cutting

motion to cause a strip to be sheared from the secondary web; a handling drive positioned adjacent the shearing apparatus for receiving the strip from the shearing apparatus and moving the reinforcing strip to a sealing location adjacent the primary supply web; and a laminating device located proximate to a handling manifold for sealing the strip to the primary supply web. The prior art of record to Foote, Jr. et al. discloses that the length of the strip is determined by the width of the strip. The prior art of record to van der Klugt (US 5,584,954) discloses a laminating device which includes a primary feeding mechanism cooperating with a primary supply web for advancing a predetermined length of the primary supply web; a secondary feeding mechanism for advancing a predetermined length of secondary web; a cross web shearing apparatus positioned downstream from the secondary feeding mechanism for receiving the predetermined length of the secondary web, the cross web shearing apparatus including a shear blade movable through a cutting motion to cause a strip to be sheared from the secondary web; a handling drive positioned adjacent the shearing apparatus for receiving the strip and moving it to a sealing location adjacent the primary supply web; and a laminating device located proximate to a handling manifold for sealing the strip to the primary supply web. van der Klugt discloses that the length of each cut segment of the secondary web is fixed to be equal to the length of the handling manifolds. The prior art of record does not disclose or provide any motivation for modifying the laminating device of Foote, Jr. et al. or van der Klugt to include a feeding mechanism for advancing a selectable predetermined length of the secondary web, i.e. automatic means for a user to request any desired supply from upstream equipment which is managed via a control mechanism.

As to Claim 34, the prior art of record to Foote, Jr. et al. (US 4,083,737) discloses an apparatus for producing a supply of material in a web format having reinforcements in predetermined locations comprising a primary supply feeding roll coupled to a primary web to move the primary web in a predetermined manner; a secondary supply feed mechanism coupled to a secondary web to move the secondary web in a predetermined manner; a cross web shear device having a shear blade, the cross web shear device positioned to receive the secondary supply web at a cutting position between the shear blade and the support blade, the cross web shear further having a blade actuator for moving the shear blade through a cutting motion after the secondary web has been positioned at the cutting position resulting in a reinforcing strip to be sheared from the secondary web; a movable applicator having an applicator manifold positionable in a cutting position adjacent the cross web shear such that the secondary web extends adjacent a holding surface of the applicator manifold when the secondary web is in the cutting position, the applicator manifold having a plurality of vacuum apertures in the holding surface to create a vacuum seal between the secondary web and the holding surface when the secondary web is in the cutting position, the movable applicator movable between cutting position and a delivery position allowing movement of the reinforcement strip to an attachment location; and an attachment device positioned adjacent the primary web and adjacent the applicator delivery position, in which the reinforcing strip can be attached to the primary web at a reinforcing location by the attachment device cooperating with the applicator. Foote, Jr. et al. discloses that the length of the strip is determined by the width of the strip. van der Klugt (US 5,584,954) discloses an apparatus including a primary supply feed roller coupled to a primary web to move the primary web in a predetermined manner; a secondary supply feed roller coupled

to a secondary web to move the secondary web in a predetermined manner; a cross web shear device having a shear blade, the cross web shear device positioned to receive the secondary web at a cutting position between the shear blade and a movable applicator, the cross web shear further having a blade actuator for moving the shear blade through a cutting motion after the secondary web has been positioned at the cutting position resulting in a strip to be sheared from the secondary web; a movable applicator having an applicator manifold positionable in a cutting position adjacent the cross web shear device such that the secondary web extends adjacent a holding surface of the applicator manifold having a plurality of vacuum apertures in a holding surface to create a vacuum seal between the secondary web and the holding surface when the secondary web is in the cutting position, the movable applicator movable between cutting position and a delivery position allowing movement of the strip to an attachment location; and an attachment device positioned adjacent the applicator delivery position, in which the strip can be attached to the primary web by the attachment device cooperating with the applicator. van der Klugt discloses that the length of each cut segment of the secondary web is fixed to be equal to the length of the handling manifolds. The prior art of record does not disclose or provide any motivation for modifying the laminating device of Foote, Jr. et al. or van der Klugt to include a feeding mechanism for advancing a selectable predetermined length of the secondary web, i.e. automatic means for a user to request any desired supply from upstream equipment which is managed via a control mechanism.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl N. Hawkins whose telephone number is (703) 306-0941 until December 18, 2003 or (571) 272-1229 after December 18, 2003. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (703) 308-3853 until December 18, 2003 or (571) 272-1226 after December 18, 2003. The fax phone numbers for the organization where the application or proceeding is assigned is (703) 872-9310 for regular communications or (703) 872-9311 for After-Final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist whose telephone number is (703) 308-0661.

Cheryl N. Hawkins

Cheryl N. Hawkins 12/9/03

December 9, 2003

Richard Crispino
RICHARD CRISPINO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700